Plaintiff, Lafarge North America, Inc., by its undersigned counsel, hereby gives notice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, that this action is hereby dismissed, without prejudice.

Defendants.

Dated:

New York, NY

CO., INC., and JOSEPH C. GRECO, JR.,

September 14, 2007

TOFEL & PARTNERS, LLI

Lawrence E. Pofel (8631)

800 Third Avenue, 12th Floor

New York, NY 10022

(212) 752-0007

Attorneys for Plaintiff

So-Ordered:

Hon. Denny Chin, USDJ

{00025539.}